IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 6083 of 2005

Between:

P. Krishna Murthy, S/o. Ramulu,
O/o. EEAPMHIDC, Sanga Reddy of Medak District,

(on deputation from EEMDSCSCS Limited,
Sanga Reddy)

..... PETITIONER

AND

1 The Managing Director, Andhra Pradesh

Health and Medical Housing Infrastructure
Development Corporation (APHM HIDC) Hyderabad.
2 The Superintending Engineer, APHMHIDC, Nizamabad.
3 The Executive Engineer, APHMHIDC,

Sanga Reddy, Medak District.
4 The Executive Engineer, APHMHIDC, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents to sent back the petitioner to his parent department i.e. Medak District Schedule caste service cooperative Society limited, Sanga Reddy and consequently declare the impugned proceeding No. ESTT/NLG/S2/297/2004-05/260 dated 3-3-2005 issued by the Executive Engineer AP Health and Medical Housing infra structure Development Corporation (APHMHIDC) as illegal, null and void, by holding the impugned action of the respondents in not considering the petitioner's representation dated 5-2-2005 and transferring and posting the petitioner to Nalgonda Division AP HMHIDC, Nalgonda District during the middle of the academic year is as illegal, arbitrary, discriminatory

and oppose to all principles of equity, justice and fair play and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.CH.JAGANNADHA RAO

Counsel for the Respondent: --

The Court at the admission stage made the following:

ORDER:

Seeking Writ of Mandamus directing the respondents to sent back the petitioner to his parent department and consequently declare the impugned proceeding No.ESTT/NLG/S2/297/04—5/260, dated 03.03.2005 issued by the 4th respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner. Since the petitioner seeks innocuous prayer, the presence of the respondents is not necessary.

The petitioner gave a representation on 05.02.2005, requesting the respondents to repatriate him to his parent department. Appropriate decision has to be taken thereon by the respondents.

Therefore, without entering into the merits of the case, it would be appropriate to dispose of the writ petition, with a direction to the respondents to take appropriate decision on the representation of the petitioner dated 05.02.2005, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 23.03.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director,

Andhra Pradesh Health and Medical

Housing Infrastructure Development

Corporation (APHM HIDC) Hyderabad

2. The Superintending Engineer,

APHMHIDC, Nizamabad

3. The Executive Engineer,

A.P.HM HIDC, Sanga Reddy,

Medak District

4. The Executive Engineer,

AP HM HIDC, Nalgonda,

Nalgonda District

5. Two CD copies